

REMARKS

Claims 1-36 are pending in this application. By this Amendment, claims 1, 2, 4, 7, 10, 11, 14 and 29-32 are amended and claims 35 and 36 are added. Specifically, independent claims 1 and 29 are amended to even further distinguish over the cited reference, claims 14 and 32 are rewritten in independent form, and claims 2, 4, 7, 10, 11, 30 and 31 are amended to be consistent with claim 1 and to correct minor informalities. No new matter is added. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

The courtesies extended to Applicant's representative by Examiner McCullough in the telephone interview held July 23, 2007, are appreciated. During the interview, the Examiner confirmed that the shortened statutory period for reply to the current Office Action was set at three months.

I. Allowable Subject Matter

The Office Action indicates that claims 14-28 and 32-34 contain allowable subject matter, and would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. As discussed above, claims 14 and 32 are rewritten in independent form including all of the features of base claims 1 and 29, respectively. Thus, claims 14 (and dependent claims 15-18) and 32 are allowable. Applicant submits that the remaining claims also are allowable for the reasons discussed below.

II. 35 U.S.C. §112, Second Paragraph, Rejection

The Office Action rejects claims 4, 5, 7, 8, 11 and 12 under 35 U.S.C. §112, second paragraph. Claims 4, 7 and 11 are amended to explicitly define the claimed "L", obviating the rejection. Thus, it is respectfully requested that the rejection be withdrawn.

III. 35 U.S.C. §103(a) Rejection

The Office Action rejects claims 1-13 and 29-31 under 35 U.S.C. §103(a) over Tetsuo, JP-A-10-268442. The rejection is respectfully traversed.

Tetsuo fails to disclose or suggest a pair of rollers disposed at the transport direction changing position, and a controlling unit which controls the pair of rollers to rotate in a first rotating direction and reverse the first rotating direction to a second direction to transport the document, which has been transported through the first route, to the second route when the detected length of the document is longer than the predetermined length on the basis of a comparing result of the first comparing unit, and to rotate in the first rotating direction to discharge the document transported through the second route, as recited in independent claim 1 and similarly recited in independent claim 29.

Tetsuo discloses a pair of rollers 43, 44 for discharging the document, and a pair of rollers 51, 52 ("switchback rollers") for reversing the document (see Fig. 2 and paragraphs [0027] and [0031]). As clearly shown in Fig. 2, the "switchback rollers" 51, 52 for reversing the document are not the same as a pair of rollers 43, 44 for discharging the document. On the other hand, the claimed pair of rollers, disposed at the transport direction changing position, have a document-reversing function and a document-discharging function. Because Tetsuo discloses a first pair of rollers 43, 44 for discharging the document, and a different pair of rollers 51, 52 for reversing the document, Tetsuo fails to disclose or suggest the claimed pair of rollers. Thus, Tetsuo fails to disclose or suggest a pair of rollers disposed at the transport direction changing position, and a controlling unit which controls the pair of rollers to rotate in a first rotating direction and reverse the first rotating direction to a second direction to transport the document, which has been transported through the first route, to the second route when the detected length of the document is longer than the predetermined length on the basis of a comparing result of the first comparing unit, and to rotate in the first

rotating direction to discharge the document transported through the second route, as recited in independent claim 1 and similarly recited in independent claim 29. Therefore, independent claims 1 and 29 are patentable over Tetsuo.

Because claims 2-13, 30 and 31 incorporate the features of claims 1 and 29, these claims also are patentable over Tetsuo for this reason, as well as for the additional features these claims recite. Thus, it is respectfully requested that the rejection be withdrawn.

IV. Claims 35 and 36

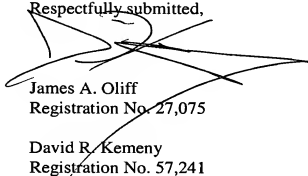
Added claims 35 and 36 also are patentable over Tetsuo at least for their dependency from claims 1 and 29, respectively, as well as for the additional features these claims recite.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

David R. Kemeny
Registration No. 57,241

JAO:DRK/rle

Attachment:
Amendment Transmittal

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OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

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